

REMARKS

Claims 1, 3, 8 and 9 stand rejected under 35 U.S.C. § 102(b) as being anticipated by United States Patent No. 5,759,617 to Mukai. Applicant has cancelled Claims 1, 3, 8 and 9, without prejudice, thereby rendering this rejection moot.

Claims 2 and 10 stand rejected under 35 U.S.C. § 103 as being unpatentable over United States Patent No. 5,759,617 to Mukai. Applicant respectfully traverses this rejection.

Applicant respectfully submits all of the features of the present invention are not disclosed or suggested in the Mukai reference. Specifically, the Mukai reference fails to disclose or suggest a magnetic recording medium that includes, *inter alia*, a magnetic layer consisting of a CoCr based alloy “including Cr in the concentration of 5at% or less” as defined in independent Claim 2.

The Examiner has correctly noted that the Mukai reference is silent with respect to the amount of Cr that is included in the magnetic layer. *See* Final Office Action, page 4, lines 8-9. To remedy this deficiency, the Examiner stated that it would have been obvious to one of ordinary skill in the art to have optimized the amount of Cr in order to achieve optimal coercivity and reduced noise. *See* Final Office Action, page 4, lines 11-14.

However, even assuming *arguendo* that Applicant agrees with the Examiner’s assertion regarding the obviousness of optimizing the amount of Cr to achieve the optimal coercivity and reduced noise, this value does not necessarily coincide with the value reached

when optimizing for the anisotropic constant Ku. In prior art devices, the amount of Cr is generally about 20%. In contrast, in the present invention defined in Claim 2, the amount of Cr is limited to the extremely small value of 5at% or less to avoid lowering the value of the anisotropic constant Ku. Applicant respectfully submits that this small value is not necessarily the same value that would have resulted when optimizing for coercivity and reduced noise. In other words, optimizing for one set of parameters (coercivity and noise reduction) does not necessarily result in the same “optimized” value when optimizing for another parameter (the anisotropic constant Ku).

Furthermore, the Mukai reference fails to disclose or suggest any relationship between the amount of Cr in the magnetic layer and the anisotropic constant Ku. Thus, the Mukai reference fails to disclose or suggest the more specific idea that large amounts of Cr reduce the Ku value. Thus, there is no disclosure or suggestion that the amount of Cr should be optimized to avoid reducing the Ku value, where the amount of Cr is 5at% or less, as defined in Claim 2. Accordingly, for the reasons stated above, Applicant respectfully requests the withdrawal of this §103 rejection of independent Claim 2 and associated dependent 10 under the Mukai reference.

Claims 7 and 11 stand rejected under 35 U.S.C. § 103 as being unpatentable over United States Patent No. 5,759,617 to Mukai in view of United States Patent No. 6,153,284 to Gui. Applicant has cancelled Claims 7 and 11, without prejudice, thereby rendering this rejection moot.

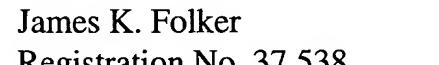
Finally, Applicant has also added new Claims 12-14. Applicant respectfully submits that new Claims 12-14 are allowable.

For all of the above reasons, Applicants request reconsideration and allowance of the claimed invention. Should the Examiner be of the opinion that a telephone conference would aid in the prosecution of the application, or that outstanding issues exist, the Examiner is invited to contact the undersigned.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By



James K. Folker

Registration No. 37,538

May 13, 2003

Suite 2500
300 South Wacker Drive
Chicago, Illinois 60606
Telephone: (312) 360-0080
Facsimile: (312) 360-9315

Customer No. 24978

K:\0671\66045\amd-b.doc